

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL NO. 3:98CV394

ROGER FRANKLIN THOMAS,)
and wife, ELLA SHINN THOMAS,)

Plaintiffs,)

Vs.)

AC&S, INC., *et al.*,)

Defendants.)
_____)

ORDER OF DISMISSAL
(Defendant Crown, Cork
& Seal Company, Inc. ONLY)

THIS MATTER is before the Court on motion of Plaintiffs Roger Franklin and Ella Shinn Thomas to dismiss their claims against the Defendant Crown, Cork & Seal Co., Inc., without prejudice.

IT IS, THEREFORE, ORDERED that the Plaintiffs' motion is **ALLOWED**, and the claims of Plaintiffs Roger Franklin and Ella Shinn Thomas against the Defendant Crown, Cork & Seal Co., Inc., are hereby **DISMISSED WITHOUT PREJUDICE** in their entirety.

IT IS FURTHER ORDERED that the motion of Defendant Crown, Cork & Seal for summary judgment pertaining to these Plaintiffs is hereby **DENIED** as moot.

Signed: October 2, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

